

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1243 which the clerk will report by title.

The bill clerk read as follows:

A bill (S. 1243) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

Pending:

Murray (for Cardin) amendment No. 1760, to require the Secretary of Transportation to submit to Congress a report relating to the condition of lane miles and highway bridge deck.

Coburn amendment No. 1750, to prohibit funds from being directed to federal employees with unpaid Federal tax liability.

Coburn amendment No. 1751, to prohibit Federal funding of union activities by Federal employees.

Coburn amendment No. 1754, to prohibit Federal funds from being used to meet the matching requirements of other Federal programs.

AMENDMENT NO. 1760, AS MODIFIED

Mrs. MURRAY. Madam President, I call for the regular order with respect to Amendment No. 1760 and to modify it with the changes which are at the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 1760), as modified, is as follows:

On page 38, between lines 17 and 18, insert the following:

SEC. 127. Funding made available under the heading "FEDERAL HIGHWAY ADMINISTRATION LIMITATION ON ADMINISTRATION EXPENSES" shall be made available to submit to Congress a report describing the percentages of lane miles and highway bridge deck in each State that are in good condition, fair condition, and poor condition, and the percentage of Federal amounts each State expends on the repair and maintenance of highway infrastructure and on new capacity construction.

Mrs. MURRAY. I understand my colleague is here to offer an amendment. I yield to him at this time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, I ask unanimous consent to call up amendment No. 1783.

The PRESIDING OFFICER. Is there objection?

Objection is heard.

Mrs. MURRAY. It is my understanding the Senator from Connecticut was going to call up an amendment. There was an objection?

The PRESIDING OFFICER. The Senator is correct.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1783

Mr. MURPHY. I call up amendment No. 1783 and ask that it be pending.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. MURPHY] proposes an amendment numbered 1783.

Mr. MURPHY. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Secretary of Transportation to assess the impact on domestic employment of a waiver of the Buy American requirement for Federal-aid highway projects prior to issuing the waiver)

On page 34, line 23, after "shall" insert "assess the impact on domestic employment if such a waiver were issued and".

Mr. MURPHY. Mr. President, there is a broad consensus among the people of this country that when we spend dollars through the Federal Treasury, when we spend taxpayer dollars, they should be used to fund American jobs. In fact, that has been a law on the books since the early part of this century. For a long time the Buy American Act has required that when we buy things, whether it be through the military or through the Department of Transportation, we buy things from American contractors. That makes more sense today than ever before because as we struggle to try to get our economy back up and running, one of the sectors that is hurting more than others is the construction sector. Every time we violate the Buy American provisions of our law, we lose the opportunity to try to alleviate great stress that is currently upon our construction industry.

Thankfully, the DOT has been one of the best agencies, actually, when it comes to making sure American-made material goes into construction projects. The \$41 billion the Highway Administration receives in this bill to be spent on roads and bridges is an important engine of job growth throughout the country. I have to say they generally do a pretty good job, as opposed to some other agencies—the Department of Defense at the top of the list—in making sure those dollars go to American companies.

There are circumstances in which the Buy American provisions are waived. There are a number of ways you can waive those provisions, but it is important for us to have full transparency and disclosure when the Department of Transportation and FHWA are considering awarding a major project funded by American taxpayers to a foreign company.

When the Buy American statute is waived, the requirement that American-made material be used is null and void. What this bill says is that when the FHWA provides public notice that they are considering waiving the Buy American clause for a particular project, they include in that public notice a consideration of the impact on American jobs. It is worth knowing whether a waiver is simply going to result in the loss of 10 American jobs or the loss of 500 American jobs.

This amendment very simply says that when a waiver to the Buy American law is pending, we should know from the Department of Transportation and from the FHWA how many American jobs are at risk. That gives us the opportunity to weigh in and try to make sure that waiver is not granted. This, frankly, gives American companies a little bit better information to use when they are trying to make the case that they can actually do the work that may be being considered for a foreign company.

We all know what is happening to jobs in the building trades. In some parts of the country unemployment is hitting 20 percent when it comes to carpenters, operating engineers, plumbers, and sheet metal workers.

I wish to applaud the DOT for being one of the models when it comes to trying to make sure taxpayer dollars are kept here at home. This amendment would make sure that in those limited cases where the DOT is sending work overseas, we get a chance to understand what the real impact will be.

We have a lot of work to do when it comes to tightening our Buy American laws. We are talking about the DOT, but the real problem is another agency we will hopefully have a chance to talk about later on the Senate floor; that is, the Department of Defense. Seventy percent of Federal purchasing comes through the Department of Defense. They have been expediting the offshoring of defense work at a rate that should make every single Senator on this floor shudder.

This is an important amendment that I hope will get bipartisan support. I thank Senator COLLINS for allowing it to become pending on the floor. I think it is just the beginning of a lot of work we have to do when it comes to enforcing a very simple principle. When our constituents send their hard-earned tax dollars to Washington, DC, and they are used to buy things or build things for the U.S. Government, we need to hire U.S. companies and American workers to do the job.

I ask unanimous consent that there be a period for debate only until 2:15 p.m. today.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Mr. MURPHY. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.